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'Chaotic personal life' casts pall on Durenberger intelligence role

Second of two parts.

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There is growing concern in the intelligence agencies that Sen. David Durenberger's tortuous and tangled private life has seriously damaged his ability to effectively lead the Senate Select Committee on Intelligence, which is charged with overseeing the way the American intelligence system operates.

Since taking control of the panel 14 months ago, Mr. Durenberger, 51, Minnesota Republican, has achieved national attention not only as a high-profile, activist committee chairman, but for his chaotic personal life as well.

Revelations about Mr. Durenberger's marital problems and subsequent affair with a former employee have strengthened the arguments of critics who complain that Mr. Durenberger is not the best man to head the sensitive panel.

Professionally, Mr. Durenberger's critics say the senator has moved away from the laissez-faire approach adopted by his predecessor, Sen. Barry Goldwater, and has tried to use the intelligence post to influence the course of U.S. foreign policy.

As a result, some observers say the panel's new aggressive style is reminiscent of the late 1970s when Sen. Frank Church headed the committee and regularly pilloried the intelligence community in public hearings.

"He still has the attitude that what we want to do is restrain things and have a Church-style approach [to oversight]," said one committee staff member who declined to be named.

During his tenure Mr. Durenberger has opposed the Reagan administration's use of covert action programs, openly feuded with CIA Director William Casey, made several controversial staff changes, faced criticism that serious leaks about U.S. covert action programs came from Congress, and started a committee public relations program that some experts believe is hazardous for intelligence work. Mr. Durenberger declined to be interviewed for this article.

The 15-member committee, first constituted in 1976, was set up to be the exclusive Senate body monitoring the CIA.

Always a hotbed of controversy, the committee has wavered over the years from operating in relative obscurity to being the focus of national attention. Its first chairman, Sen. Daniel Inouye, Hawaii Democrat, is little remembered, in contrast to the flamboyant style of former chairman Church.

Now, the committee's public profile is on an upswing. Mr. Durenberger's direct criticism about how the administration handles intelligence issues is raising the hackles of professionals in the community and fellow senators who believe the best thing to say publicly about sensitive intelligence matters is nothing at all.

Mr. Goldwater, who left the committee in January 1985 to take over the Senate Armed Services Committee, has opposed the existence of the oversight committee since its establishment.

"When I was chairman, I couldn't prevent the members from using" the classified information they came across, Mr. Goldwater said, criticizing the use of the committee as a vehicle to influence the administration's foreign policy. "But I tried to point out to them that it was an abuse of senatorial privilege."

Sen. Malcolm Wallop, Wyoming Republican, who lost a political maneuver in January 1985 to become chairman of the panel, remains critical of the committee's work.

"There is a great need for expertise and continuity" on the committee, said Mr. Wallop, who spent eight years on the committee — the maximum allowed under law. "There are too many people, too many leaks, too much involvement, too much turnover on the staff, and no real appraisal of what it is that we seek to achieve in oversight."

For the last year, Mr. Durenberger has lived at the Cedars, an evangelical Christian fellowship house in Arlington after splitting up with his wife of 14 years. He is also undergoing psychological counseling in Boston.

Several experts interviewed about the general problem — without specific reference to Mr. Durenberger — gave mixed answers about the potential security problems posed by the mental health traumas he faces.

Federal guidelines, which apply only to executive branch employees, but not to members of Congress or their staffs, normally would disqualify an individual from working in a security-sensitive area if they are believed to be mentally unstable, according to George Woloshyn, an associate director of the Office of Personnel Management who is responsible for overseeing federal background investigations.

"Basically a person who is psychologically unbalanced ... is not fully in control of his faculties," Mr. Woloshyn said. "Where there is suspicion that an individual may not have a sufficient sense of personal responsibility to safeguard information ... there's no doubt in my mind that that person ought not gain access to sensitive information."

A senior administration intelligence expert said CIA guidelines outlining conditions under which a Sensitive Compartmented Information clearance — the highest level security clearance — can be withdrawn include such personal problems as separation or divorce, extramarital affairs, psychiatric care or unorthodox social behavior, according to an administration security expert.

While Mr. Durenberger, as a member of Congress, is not required to have a security clearance he is granted access — as a committee member — to Sensitive Compartmented Information.

"Durenberger's case easily meets the standards for which a security clearance would be revoked, at least until his problems are resolved," said the official who declined to be identified.

Psychiatrist Fredric Solomon — who has studied ways to prevent disturbed persons from attacking public officials for the U.S. Secret Service — said the fact that a person is seeking either psychological or psychiatric counseling does not constitute a danger to secret intelligence work.

"It's not a flag of great risk," said Mr. Solomon, who declined direct comment on Mr. Durenberger's case. "I worry about people who are troubled and never ask for help."

OPM's Mr. Woloshyn, however, said if someone with mental instability is found working in a sensitive executive branch job, "that person essentially should be transferred to another job which is less sensitive—where the potential for damage is not as great."

Mr. Durenberger's closest confidant on the panel, committee staff director Bernard McMahon, said he's unsure if Mr. Durenberger's personal problems have intruded on the committee work.

"I don't know whether it's affected him or not," Mr. McMahon said. "I'm just saying that as far as the way this committee functions, I don't see any difference."

But some congressional and administration officials disagree, with several expressing frustration that Mr. Durenberger and Mr. McMahon are meddling in foreign policy issues, including attempts to block military support for resistance forces in Marxist dictatorships.

Sources say that at least four intelligence committee senators, as well as key players in the intelligence community, believe Mr. Durenberger's personal problems have shifted

too much political power within the Senate intelligence committee to Mr. McMahon.

A White House official familiar with Mr. Durenberger's problems said Mr. McMahon wields "a fair amount of clout" over intelligence policy while another intelligence official put it more bluntly: "The executive branch believes Bernie sets the committee's agenda."

The intelligence official said the chairman and staff director travelled to Europe last year to meet overseas intelligence officials and several came away with the impression that Mr. McMahon guided the agenda while "Dave seemed mildly interested."

One senior administration policy-maker charged Mr. Durenberger and Mr. McMahon — once executive assistant to former CIA Director Adm. Stansfield Turner — share a bias against paramilitary covert operations. And as a result of Mr. Durenberger's reliance on Mr. McMahon, he said, the committee has been influenced against covert operations in the Third World.

Covert action can involve a range of intelligence techniques from planting news articles in foreign publications, to financial support for political parties, to large-scale par-

amilitary operations involving the transfer of weapons or training — all without showing U.S. government involvement.

"There is no bias against covert action in this committee or on the

staff," Mr. McMahon said. "We review many, many covert actions other than the ones that are discussed in the newspapers. Every covert action is different and ... is judged on its own merits in terms of its cost benefit and in terms of its risk."

Mr. Wallop, still a careful observer of the committee's actions, said the panel has moved away from "a certain pretense of oversight [and] is now involved in management. Now you have a chairman announcing legislative plans when the administration says something about covert action."

Mr. Goldwater, a former committee chairman, praised the use of covert activity while decrying recent public debate over its use.

"Covert action is the secret of intelligence success, but the more you publicize the action of intelligence, the less attractive you make it," Mr. Goldwater. "I even went so far as to approve expenditures of funds to train people in covert action."

Last October, Mr. Durenberger showed how he wanted to be an activist — and showed his colleagues how he differed from their view — by publicly stating: "In the case of covert action ... if it involves significant or controversial military action

overseas, it will with certainty become a matter of public debate."

The Minnesota Republican renewed the public attack in February by charging that the Reagan administration's covert support for Nicaragua's anti-communist resistance was wrong and that he would propose legislation to block the \$70 million "covert" portion of the aid package. He said the \$70 million aid package "is a threat" to the security of the United States should U.S. forces become "bogged down in Nicaragua."

However, in an apparent contradiction to his professed opposition to covert action, Mr. Durenberger last October threatened then-Philippines president Ferdinand Marcos with a U.S.-sponsored program of subversion.

"If Marcos refuses to deal with the reality of the problem in the Philippines it may well be in the national security interest of this country to take intelligence another step beyond its information-gathering capabilities," Mr. Durenberger told National Public Radio.

Mr. Durenberger was apparently

suggesting a covert action plan, but when asked to clarify his remarks, said, "I don't intend to make it clear to you because it wouldn't be within the rubric of intelligence nor in the authority of the chairman of the intelligence committee to discuss that sort of thing."

In still another instance, one administration official said Mr. Durenberger acted on political instincts in reversing his opposition to covert aid to Angolan anti-communist resistance fighter Jonas Savimbi.

Following a CIA briefing on the covert aid program late last year, Mr. Durenberger ordered a poll of committee members on whether they favored overt or covert assistance to Mr. Savimbi's forces, the official said.

The results were 13-2 in favor of overt aid, but the vote was recast in a letter to President Reagan indicating that 13 members of the committee "opposed" covert aid, the official said. The committee and the White House both refused to release the letter, although its existence has been widely reported.

According to the official, the letter outraged several committee members who felt the survey failed to account for the fact that some favored both overt humanitarian assistance and covert military backing.

Mr. Durenberger ended his opposition and began favoring aid for Mr. Savimbi's forces shortly after a meeting with Charles Black, a partner in the high-visibility political consulting firm of Black, Manafort, Stone and Kelly.

Mr. Black, in 1982 was a political campaign adviser to Mr. Durenberger, and last year was paid \$600,000 to represent Mr. Savimbi's UNITA group.

According to the source, Mr. Black was supposed to conduct a low-key effort to "reduce the intensity of Mr. Durenberger's opposition" by letting the senator know that his opposition to covert Angolan aid would reduce his standing among Minnesota Republican lead-

ers and could complicate the senator's re-election campaign in 1988.

While Mr. Black said there were "no discussions" of Minnesota politics with Mr. Durenberger's meeting, shortly afterward committee staff director McMahon passed word to the White House that the senator would not try to block the UNITA aid request, the source said.

Mr. Durenberger's seemingly contradictory position on covert action appears to fit within the larger framework of his overall desire of playing a major role in foreign policy.

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allude to the fact that the intelligence committee ought to be playing any kind of a foreign policy role in any way," said Mr. McMahon, with

the exception of funding covert action. "The confusion has only arisen because the Congress as a whole has become more sophisticated, and in their effort to understand the facts behind foreign policy decisions, they have become more hungry for facts."

Some intelligence professionals accuse Mr. Durenberger of damaging the trust involved in the delicate congressional oversight process by publicly criticizing the CIA for lacking "a sense of direction" and for failing to adequately interpret Soviet policies.

The published remarks prompted a bitter response from CIA Director Casey, who sharply criticized Mr. Durenberger for conducting "off-the-cuff" oversight which he said has caused "repeated compromises of sensitive intelligence sources and methods" and "unsubstantiated appraisals of performance."

"It is time to acknowledge that the process has gone seriously awry," Mr. Casey wrote in a Nov. 14 letter.

Mr. McMahon would not comment about the Casey-Durenberger exchange.

Sen. Frank Murkowski, Alaska Republican, has criticized the exchange.

"I am a little perturbed at the row we see," Mr. Murkowski said. "I don't see the necessity of this committee involving itself so much in the public relations process we seem to have."

Some of Mr. Durenberger's critics have accused him of restructuring the 46-member intelligence committee staff to give it a more liberal ideological spin.

Several former committee staff professionals said Mr. Durenberger and Mr. McMahon placed a former Berkeley, Calif., "radical" in charge of the committee's covert action section.

These staffers said other liberals, most of them opposed to covert action programs, have been placed in key posts on the committee. These aides refused to comment.

Angelo Codevilla, a former professional staff member who worked

for Mr. Wallop, said he was forced to resign when Mr. Durenberger became chairman. Mr. Codevilla said the senator drove out aides who disagreed with his views.

"This is fair enough, but his pretense of carrying out the purge in the name of professionalism is dishonorable," Mr. Codevilla said.

One former committee staff member charged Mr. McMahon

forced the resignation last year of Thomas Blau, a long-time committee aide, after a dispute.

Mr. McMahon, who took over the committee staff in February 1985, said that he has worked with Mr. Durenberger to reshape the staff into a "more professional" team.

Senate records show that since Mr. Durenberger became chairman, eight professional staff members left the committee and seven new professionals were hired, but Mr. McMahon attributed the turnover to new senators joining the committee. Normally, 15 of the committee's staff are designees — individuals who work directly for a single senator. The rest are considered professional staff assigned to the committee.

"Some of the staff members left because some of the senators who supported them left," Mr. McMahon said. "Nobody re-appointed them as designees and we didn't rehire them as professional staff, so they had no other choice but to leave. But that's the way the process works."

Now committee staffers are split into four areas: intelligence operations, budget, legal oversight — including covert action — and "intelligence process," which includes Mr. Durenberger's interest in developing a so-called "national intelligence strategy." Mr. McMahon said the new organizational structure involves "specific assignments."

However two Republican senators on the committee say the staff structure limits their ability to understand intelligence issues, partly because only senior committee staff members have access to relevant information.

Sen. Chic Hecht, Nevada Republican, said most of what he learns about intelligence issues is obtained from meetings with intelligence community people outside of the Senate.

"Often times I feel I don't get enough advice," said Mr. Hecht, who spent 18 months in East Germany as an Army intelligence officer during the 1950s. "I meet nights, I have breakfast with people on weekends."

Mr. Murkowski added: "If you don't know what's happening, you're not going to know what to ask because it's not necessarily their obligation to keep you informed."

A third committee member, Sen. Orrin Hatch, Utah Republican, is also apparently frustrated by the intelligence committee staff, according to a source close to the senator.

Last year, when the administration approached him in an effort to restore budget cuts that eliminated some U-2 reconnaissance flights, the source said Mr. Hatch "could not obtain the information from either McMahon or Durenberger that would allow him to be effective." Mr. Hatch declined to be interviewed.